

[Docket No.28]

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

ELLEN FENSTERER, an  
individual; on behalf of  
herself and all others  
similarly situated,

Plaintiff,

v.

CAPITAL ONE BANK (USA), N.A.,

Defendant.

Civil No. 20-5558 (RMB/KMW)

**ORDER**

This matter came before the Court upon Defendant's Motion to Dismiss. [Docket No. 28]. For the reasons set forth in the accompanying Opinion of the same date,

**IT IS** on this 5th day of March 2021, hereby **ORDERED** that:

- (1) Defendant's Motion is **GRANTED**; and
- (2) The First Amended Class Action Complaint [Docket No. 5] is

**DISMISSED WITH PREJUDICE.**

s/ Renée Marie Bumb  
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RENÉE MARIE BUMB  
UNITED STATES DISTRICT JUDGE